

## Assembly Bill No. 2791

### CHAPTER 109

An act to amend Section 84850 of the Education Code, relating to community colleges.

[Approved by Governor July 25, 2016. Filed with  
Secretary of State July 25, 2016.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2791, Medina. Community colleges: disability services.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law states the intent of the Legislature that the public postsecondary institutions request, and the state provide, through the state budget process, funds to cover the actual cost of providing services and instruction, consistent with specified principles, to disabled students in their respective postsecondary institutions.

Existing law requires the board of governors to adopt rules and regulations for the administration and funding of educational programs and support services provided to disabled students by community college districts. Existing law defines "disabled students," for these purposes, as persons with exceptional needs enrolled at a community college who meet specified criteria.

This bill would expand that definition of "disabled students," for these purposes, to include persons with exceptional needs who have applied to, but are not enrolled at, a community college and meet that criteria.

Existing law requires the regulations adopted by the board of governors to provide for the apportionment of funds to each community college district to offset the direct excess cost of providing specialized support services or instruction, or both, to disabled students enrolled in state-supported educational programs or courses.

This bill would require the regulations adopted by the board to provide funds to offset those costs of providing services or instruction, or both, to disabled students enrolled in state-supported disabled student services programs or courses, instead of state-supported educational programs or courses. The bill also would correct cross-references.

*The people of the State of California do enact as follows:*

SECTION 1. Section 84850 of the Education Code is amended to read:

84850. (a) The Board of Governors of the California Community Colleges shall adopt rules and regulations for the administration and funding of educational programs and support services to be provided to disabled students by community college districts pursuant to Article 3 (commencing with Section 67310) of Chapter 14 of Part 40 of Division 5.

(b) As used in this section, “disabled students” are persons with exceptional needs who have applied to or enrolled at a community college who, because of a verified disability, cannot fully benefit from classes, activities, and services regularly provided by the college without specific additional specialized services or educational programs.

(c) The regulations adopted by the board of governors shall provide for the apportionment of funds to each community college district to offset the direct excess cost of providing specialized support services or instruction, or both, to disabled students enrolled in state-supported disabled student services programs or courses. Direct excess costs are those actual fixed, variable, and one-time costs, as defined in Section 67311, which exceed the combined total of the following:

(1) The average cost to the district of providing services to nondisabled students times the number of students served by disabled student programs and services.

(2) The indirect cost to the district of providing facilities and support for the administration of disabled student programs and services.

(3) The revenue derived from average daily attendance in special classes.

(4) Any other funds for serving disabled students which the district receives from federal, state, or local sources.

(d) As a condition of receiving funds pursuant to this section, each community college district shall certify that reasonable efforts have been made to utilize all funds from federal, state, or local sources which are available for serving disabled students. Districts shall also provide the programmatic and fiscal information concerning programs and services for disabled students that the regulations of the board of governors require.

(e) The board of governors may authorize the chancellor, consistent with the requirements the board may impose, to designate up to 3 percent of the funds allocated pursuant to this section for program development and program accountability.